# JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-1963-WGG

100 110 110 11 11 11 - 2007 - 1700 - 1700							
PRO	State Pari Cen App Nan	e: sh: ter coordi proximate:	Louisian Cameror nates of si size of are est waterv	n ite (latitude/longitu	d, including	30.01.12/-93.19.21 g uplands: 0.33 acres.	
			AL DETERMINATION Desktop determination Site visit(s)		M	Date: 5/17/07 Date(s):	
	Juri	isdictions	l Determ	ination (JD):			
		Prelimina United St	ary JD - B tates" and	ased on available i		, there appear to be (or) there appear to be no "waters of the Inited States" on the project site. A preliminary JD is not appealable	
	$\boxtimes$		d JD – An I that appl	• •	appealable	e action (Reference 33 CFR part 331).	
						ates" (as defined by 33 CFR part 329 and associated guidance) within ional area: 0.12 acre.	
				ers of the United Sproximate size of j		defined by 33 CFR part 328 and associated guidance) within the al area: 0.12 acre.	
		There	are "isoi			ate waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No	
	10 C	AE IIIDIG	חורדות	NAI DETEDMIN	JATION:		
A	ASIS OF JURISDICTIONAL DETERMINATION:  A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.						
		(1) The p interstate (2) The p (3) The p sandflats destruction (i) w (ii) f (iii) (4) Import (5) The p (7) The p	oresence of or foreign oresence of wetlands on of which are of which are undments oresence of oresence oresence of oresence of oresence oresence ore oresence ore ore ore ore ore ore ore ore ore or	f waters, which are n commerce, include interstate waters if other waters such as, sloughs, prairie pech could affect interest or could be used by thish or shellfish as or could be used f of waters otherwise a tributary to a waf territorial seas.	currently uding all wat including in as intrastal otholes, we restate common interstate of are or could for industrial de defined a ater identified	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce. Il purposes by industries in interstate commerce. Is waters of the US. I ded in (1) – (4) above.  Waters of the US, except for those wetlands adjacent to other wetlands.	
	Rati	ionale for	the Basis	s of Jurisdictional	Determina	ation (applies to any boxes checked above).	
				is located within Ca			

DA

Ordina  C c tl C c d	tent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  ary High Water Mark indicated by:  the presence of litter and debris  thanges in the character of soil  destruction of terrestrial vegetation  the limits of OHWM undetermined  High Tide Line indicated by:  oil or scum line along shore objects  fine shell or debris deposits (foreshore)  physical markings/characteristics  tidal gages  other:
	High Water Mark indicated by: vey to available datum;  physical markings;  vegetation lines/changes in vegetation types.
Wetlar	nd boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
The rev Unable Headqu The Co	Not Asserting Jurisdiction: viewed area consists entirely of uplands. e to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). uarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). orps has made a case-specific determination that the following waters present on the site are not Waters of the distates:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
ä	Other (explain):
Maps, Data sl Th Th Data sl Corps' U.S. G U.S. G U.S. G USDA Nation State/L FEMA 100-ye Aerial Other p Advan- Site vis Applic	wed for jurisdictional determination (mark all that apply):  plans, plots or plat submitted by or on behalf of the applicant. heets prepared/submitted by or on behalf of the applicant. his office concurs with the delineation report, dated , prepared by (company): his office does not concur with the delineation report, dated , prepared by (company): heets prepared by the Corps. navigable waters' studies: heological Survey Hydrologic Atlas: heological Survey 7.5 Minute Topographic maps: heological Survey 7.5 Minute Historic quadrangles: heological Survey 15 Minute Historic quadrangles: hatural Resources Conservation Service Soil Survey: hal wetlands inventory maps: hear Floodplain Elevation is: (NGVD) Photographs (Map Name & Date): hear Floodplain Elevation wetland maps: surved determination conducted on: see Jurisdictional Determination Section at top of previous page hable/supporting case law: information (please specify):

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION Revised 8/13/04 U.S. Army Corps of Engineers **DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-1962-WGG PROJECT LOCATION INFORMATION: State: Louisiana Parish: Vermilion & Iberia Center coordinates of site (latitude/longitude): 29.42.06/-91.59.36 Approximate size of area (parcel) reviewed, including uplands: 0.064 acres. Name of nearest waterway: Vermilion Bay Name of watershed: Vermilion JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 5/17/07 Site visit(s) Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, \( \subseteq \text{there appear to be (or)} \subseteq \text{there appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" and the appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to be no "waters of the appear to be no" appear to b United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). ■ Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.12 acre. There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.12 acre. There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": M The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

■ The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
The presence of interstate waters including interstate wetlands.
The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
(iii) which are or could be used for industrial purposes by industries in interstate commerce.
(4) Impoundments of waters otherwise defined as waters of the US.
(5) The presence of a tributary to a water identified in (1) – (4) above.
(6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

The project activity is located within Vermilion Bay.

	Ordinary High Water Mark indicated by:  I clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: limits of OHWM undetermined  Ordinary High Water Mark indicated by:  High Tide Line indicated by:  oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages  other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangles:  U.S. Geological Survey 19 Minute Historic quadrangles:  U.S. Geological Survey 19 Minute Historic quadrangles:  U.S. Geological Survey 10 Minute Historic quadrangles:  U.S

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-1934-WGG

11	D.111	JIVIDESIK.	IVI V IN-201	107-1734-WOO		
	Paris Cent App Nam	e: sh: ter coordir proximate s	Louisian Calcasies nates of si size of are est waterw	eu eite (latitude/longitud	l, including	30.10.31.78/-93.12.0.78 g uplands: 2.6 acres.
UR				ERMINATION determination t(s)		Date: 5/16/07 Date(s):
	Juri	sdictiona	l Determ	ination (JD):		
		Prelimina United St	ary JD - B tates" and	Based on available in		n, $\square$ there appear to be (or) $\square$ there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
	$\boxtimes$		d JD – An l that appl	• •	appealable	e action (Reference 33 CFR part 331).
				vigable waters of the Approximate size of		tates" (as defined by 33 CFR part 329 and associated guidance) within stional area: acre.
				ters of the United Sta oproximate size of ju		defined by 33 CFR part 328 and associated guidance) within the nal area: 2.5 acres.
		☐ There	are "isol			ate waters or wetlands" within the reviewed area.  ANCC/Migratory Bird Rule Information Sheet for Determination of No
BAS	A.	Waters d	defined un ence of wa	aters that are subject	329 as "na t to the ebb	navigable waters of the United States":  b and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
		(1) The p interstate (2) The p (3) The p sandflats, destruction (i) w (ii) f (iii) (4) Import (5) The p (6) The p	oresence of corresence of corr	of waters, which are an commerce, includ of interstate waters in of other waters such as, sloughs, prairie point could affect interfor could be used by the could be used for of waters otherwise of a tributary to a wap of territorial seas.	currently using all wat neluding in as intrastate otholes, we restate comminterstate or could be industriate defined as atter identifi	ate lakes, rivers, streams (including intermittent streams), mudflats, bet meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. d be taken and sold in interstate or foreign commerce. all purposes by industries in interstate commerce.
	Rat	ionale for	the Basi	s of Jurisdictional	Determina	nation (applies to any boxes checked above).
				ocated in the vicinity		

	Ordinary High Water Mark indicated by:  I high Tide Line indicated by: I high Tide Line indic
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadran

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-1924-WGG

D(	) IF	TIOCA	TION IN	FORMATION:		
N	State Paris Cent App	e: sh: ter coordii roximate :	Louisian Cameron nates of si size of are	a ı te (latitude/longitu		29.47.48/-92.50-46 g uplands: 1.9 acres.
		ne of wate		Mermentau		
URISDICTION Completed:				determination	M	Date: 5/15/07 Date(s):
	Juri	sdictiona	l Determi	ination (JD):		
		United St	tates" and			, \( \sum_{\text{there appear to be (or)}} \sum_{\text{there appear to be no "waters of the (nited States" on the project site.}} \) A preliminary JD is not appealable
	Ø		d JD – An l that appl	• •	appealable	e action (Reference 33 CFR part 331).
						ates" (as defined by 33 CFR part 329 and associated guidance) within ional area: 0.12 acre.
				ers of the United Sproximate size of j		defined by 33 CFR part 328 and associated guidance) within the al area: 0.12 acre.
		☐ There	e are "isol			tte waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
BAS	SIS O	F.IURIS	DICTIO	NAL DETERMIN	ATION:	
	A.	Waters of The prese	defined un ence of wa	nder 33 CFR part	329 as "na t to the ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in at interstate or foreign commerce.
		(1) The p interstate (2) The p	oresence of or foreign oresence of	f waters, which are n commerce, include f interstate waters i	currently u ling all wat ncluding in	
		sandflats destruction	, wetlands	, sloughs, prairie p	otholes, we	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.
	be taken and sold in interstate or foreign commerce. If purposes by industries in interstate commerce. s waters of the US.					
	Ħ	(5) The p	resence of			ed in (1) – (4) above.
		(7) The p	presence of	f wetlands adjacent	2 to other v	vaters of the US, except for those wetlands adjacent to other wetlands.
						ation (applies to any boxes checked above).
	T	he project	activity is	s located within ma	n-made wa	aterways connecting to Grand Lake.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: limits of OHWM undetermined
	Mean High Water Mark indicated by:  survey to available datum; physical markings; vegetation lines/changes in vegetation types.  Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Autural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law:  Other information (please specify):

<sup>&</sup>lt;sup>T</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-1906-WGG

PR(	State	e:	Louisiana	FORMATION:				
	App Nam	ter coordii	size of area	e (latitude/longitud a (parcel) reviewed ay: West Cote Blan Vermilion	, including	29.35.27/-91.42.53 guplands: 0.49 acres.		
URISDICTION Completed:				determination		Date: 5/15/07 Date(s):		
	Juri	sdictiona	l Determi	nation (JD):				
		Prelimina United S	ary JD - Batates" and/	sed on available in		there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable		
	Ø		d JD – An l that apply		appealable	action (Reference 33 CFR part 331).		
						ates" (as defined by 33 CFR part 329 and associated guidance) within ional area: 0.12 acre.		
				ers of the United States		lefined by 33 CFR part 328 and associated guidance) within the al area: 0.12 acre.		
		There	are "isolo			te waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No		
BAS	ASIS OF JURISDICTIONAL DETERMINATION:							
	A.	Waters of	defined un ence of wa	der 33 CFR part a	329 as "na to the ebb	vigable waters of the United States":  o and flow of the tide and/or are presently used, or have been used in  rt interstate or foreign commerce.		
		(1) The p interstate (2) The p (3) The p sandflats destruction (i) w (ii) f (iii) (4) Impo (5) The p (6) The p	or foreign or foreign oresence of oresence of oresence of or which or of which which are oresence of oresence of	waters, which are a commerce, includ interstate waters in other waters such a sloughs, prairie point could be used by a fish or shellfish are could be used for waters otherwise a tributary to a wateritorial seas.	currently using all wat acluding in as intrastate tholes, we state comminterstate or could r industria defined as ter identifi	te lakes, rivers, streams (including intermittent streams), mudflats, at meadows, playa lakes, or natural ponds, the use, degradation or nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce.  I purposes by industries in interstate commerce.		
	-					tion (applies to any boxes checked above).		
	T	he project	activity is	located within We	st Cote Bl	anche Bay.		

	Ordinary High Water Mark indicated by:  I clear, natural line impressed on the bank I changes in the character of soil I destruction of terrestrial vegetation Shelving Other: limits of OHWM undetermined  Ordinary High Water Mark indicated by: I High Tide Line indicated by: Oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
***	Mean High Water Mark indicated by:  survey to available datum; physical markings; vegetation lines/changes in vegetation types.  Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:    Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.   Artificially irrigated areas, which would revert to upland if the irrigation ceased.   Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.   Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.   Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).   Isolated, intrastate wetland with no nexus to interstate commerce.   Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:   Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:   Other (explain):
	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic soli Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law:  Other information (please specify):

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION Revised 8/13/04 U.S. Army Corps of Engineers **DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-1898-WGG PROJECT LOCATION INFORMATION: Louisiana State: Parish: St. Mary Center coordinates of site (latitude/longitude): 29.31.55.24/-91.23.14.41 Approximate size of area (parcel) reviewed, including uplands: 0.03 acres. Name of nearest waterway: Atchafalaya Bay Name of watershed: Atchafalaya JURISDICTIONAL DETERMINATION **Completed:** Desktop determination Date: 5/14/07 Site visit(s) Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.12 acre. Market There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.12 acre. There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands<sup>1</sup>. (2) The presence of interstate waters including interstate wettands.

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) - (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands. Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

# Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). The project activity is located within the Belle Isle Field next to Atchafalaya Bay.

	ordinary High Water Mark indicated by:  clear, natural line impressed on the bank  the presence of litter and debris  changes in the character of soil  destruction of terrestrial vegetation  shelving  other: limits of OHWM undetermined
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Actual Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date):  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law:  Other information (please specify):

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-1897-WGG

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	State Paris Cens App Nam	e: sh: er coordi roximate:	Louisian Calcasie nates of si size of are est waterv	u te (latitude/longitu	d, íncluding	30.07.28.09/-93.16.47.5 g uplands: 80 acres.
URISDICTION/ Completed:				determination		Date: 5/14/07 Date(s):
	Juri	sdictiona	l Determi	ination (JD):		
		Prelimina United S	ary JD - B tates" and	ased on available i		, \( \sum_{\text{there appear to be (or)}} \sum_{\text{there appear to be no "waters of the United States"}} \) on the project site. A preliminary JD is not appealable
	$\boxtimes$		d JD – An I that appl		appealable	e action (Reference 33 CFR part 331).
				igable waters of the Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within tional area: acre.
				ers of the United S proximate size of j		defined by 33 CFR part 328 and associated guidance) within the al area: 2.5 acres.
		There	are "isoi			nte waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
BAS	A.	Waters of	defined u	iters that are subject	329 as "na t to the ebb	avigable waters of the United States":  o and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
		(1) The printerstate (2) The printerstate (3) The printerstate (3) The printerstate (4) The printerstate (5) The printerstate (6) The printerstate (7) The p	oresence of or foreign oresence of wetlands on of which are of the which are which are undments oresence of oresence of the works or the which are which are wetlands or the works or the w	f waters, which are n commerce, include f interstate waters of other waters such a sloughs, prairie pack could affect interest or could be used by h fish or shellfish a for could be used f of waters otherwise f a tributary to a well ferritorial seas.	ding all wal neluding in as intrasta otholes, we restate com- interstate or or could or industria e defined a ater identifi	s "waters of the United States": used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. Interstate wetlands. It to lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. It be taken and sold in interstate or foreign commerce. It be taken and sold in interstate commerce. It waters of the US. It is waters of the US. It is in the taken and sold in interstate commerce. It is waters of the US. It is in the taken and sold in interstate commerce. It is waters of the US. It is the taken and sold in interstate commerce. It is waters of the US. It is the taken and sold in interstate commerce. It is waters of the US. It is the taken and sold in interstate commerce. It is waters of the US. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and sold in interstate commerce. It is the taken and taken
						ation (applies to any boxes checked above). t to the Calcasieu River.

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	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: limits of OHWM undetermined □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
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